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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,081	11/08/2000	Hiroshi Tanaka	0879-0286P	9588
2292	7590	08/04/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SELBY, GEVELL V	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/708,081

Applicant(s)

TANAKA ET AL.

Examiner

Gevell Selby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 10, 2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, and further in view of Martin et al., US 5,983,119.**

In regard to claim 1, Suso et al., 6,069,648, discloses a camera comprising:

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a communication device (see figure 1a-c) which allows radio communication with other unit (see column 1, lines 47-50);

a radio antenna (see figure 1a, element 10), operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit (see column 3, lines 19-23).

The Suso reference does not disclose wherein said radio antenna is formed by a conductive component of the camera that is insulated from a camera housing, but not electromagnetically shielded, said conductive component serving a non-communication purpose for said camera, such that said conductive component is not dedicated solely to communication and instead serves as both an element for a non-communication purpose of said camera and is also used as the radio antenna.

Gerszberg et al, US 5,949,474, discloses a communication device with an antenna (222) and the electronic components within the case of the device are appropriately shielded by a metal clamshell structure to insulate the antenna from the components to prevent unwanted interference from the radio frequency transmissions (see column 9, lines 28-32).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, to have said radio antenna formed by a conductive component of the camera that is insulated from a camera housing, but not electromagnetically shielded, in order to prevent unwanted interference from the radio frequency transmissions.

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Martin et al., US 5,983,119, discloses a wireless communication device with an antenna moveably connected to the device housing to serve as an input device as well as an antenna (see column 1, line 43 to column 2, line 26).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, and further in view of Martin et al., US 5,983,119, to have said conductive component serving a non-communication purpose for said camera, such that said conductive component is not dedicated solely to communication and instead serves as both an element for a non-communication purpose of said camera and is also used as the radio antenna, in order for the user to control functions of the camera using the antenna, eliminating the need for extra buttons, thus saving space.

In regard to claim 13, Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, and further in view of Martin et al., US 5,983,119, discloses the camera according to claim 1.

Official Notice is taken that it is well known in the art for a communication device to include a high frequency module connected to an antenna by a high frequency cable, in order to transmit data at the correct frequency so that the desired device may receive it.

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, and further in view of Martin et al., US 5,983,119, to have a communication device to include a high frequency module connected to an antenna by a

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high frequency cable, in order to transmit data at the correct frequency so that the desired device may receive it.

5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474.

In regard to claims 1-12, Suso et al., 6,069,648, discloses a camera comprising:

a communication device (see figure 1a-c) which allows radio communication with other unit (see column 1, lines 47-50);

a radio antenna (see figure 1a, element 10), operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit (see column 3, lines 19-23).

The Suso reference does not disclose wherein said radio antenna is formed by a conductive component of the camera that is insulated from a camera housing, but not electromagnetically shielded, said conductive component serving a non-communication purpose for said camera, such that said conductive component is not dedicated solely to communication and instead serves as both an element for a non-communication purpose of said camera and is also used as the radio antenna.

Gerszberg et al, US 5,949,474, discloses a communication device with an antenna (222) and the electronic components within the case of the device are appropriately shielded by a metal clamshell structure to insulate the antenna from the components to prevent unwanted interference from the radio frequency transmissions (see column 9, lines 28-32).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, to have said radio antenna formed by a conductive component of the camera that is insulated from a camera housing, but not electromagnetically shielded, in order to prevent unwanted interference from the radio frequency transmissions.

The Suso and Gerszberg references do not disclose that the conductive component includes any one of a hot shoe to which an accessory is set, a reflector of a flash, a strap, a strap setting member, a ring member around a photographing ring, a camera operating button, a camera operating dial, a camera operating lever, a lens cover, a cover of a battery, and a cover of a recording-medium storing section.

It is well known in the art to configure any conductive component of an electronic communication device as an antenna in order to reduce the number of parts and miniaturize the device. The previous well known in the art statement is taken to be admitted prior art because the applicant failed to traverse the examiner's assertion of official notice in the previous office action.

It would have been obvious to a person skilled in the art at the time of invention to be motivated to modify Suso et al., 6,069,648, in view of Gerszberg et al., US 5,949,474, to have the conductive component includes any one of a hot shoe to which an accessory is set, a reflector of a flash, a strap, a strap setting member, a ring member around a photographing ring, a camera operating button, a camera operating dial, a camera operating lever, a lens cover, a cover of a battery, and a cover of a recording-medium storing section, wherein said conductive component serving a non-

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communication purpose for said camera, such that said conductive component is not dedicated solely to communication and instead serves as both an element for a non-communication purpose of said camera and is also used as the radio antenna, in order to reduce the number of parts and miniaturize the device.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,384, 587, and US 6,038,295 disclose a camera with a communication device and an insulated antenna.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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communication purpose for said camera, such that said conductive component is not dedicated solely to communication and instead serves as both an element for a non-communication purpose of said camera and is also used as the radio antenna, in order to reduce the number of parts and miniaturize the device.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,384, 587, and US 6,038,295 disclose a camera with a communication device and an insulated antenna.

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gvs



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